

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Ricky Lee McDeid,

Civil No. 05-911 (RHK/SRN)

Petitioner,

ORDER

v.

Dean Mooney, Director of the Minnesota Sex
Offender Program,

Respondent.

Based upon Petitioner's representation (Doc. No. 24) that he "never received a copy of the Report and Recommendation," **IT IS ORDERED:**

1. The September 23, 2005 Order (Doc. No. 22) adopting the Report and Recommendation and denying the Petition for a Writ of Habeas Corpus is **VACATED**;

2. The Judgment (Doc. No. 23) entered pursuant to the September 23, 2005 Order is also **VACATED**; and

3. Petitioner shall serve and file any Objections to the Report and Recommendation and supporting memoranda by October 24, 2005.

Dated: October 3, 2005

s/Richard H. Kyle

RICHARD H. KYLE

United States District Court